

National

William Ruckelshaus, Who Quit in ‘Saturday Night Massacre,’ Dies at 87

New York Times, 11/27/19

<https://www.nytimes.com/2019/11/27/us/politics/william-ruckelshaus-dead.html?searchResultPosition=1>

A lawyer and political troubleshooter, Mr. Ruckelshaus twice headed the United States Environmental Protection Agency, as its founding administrator from 1970 to 1973 under Nixon, and from 1983 to 1985 under President Ronald Reagan. He won praise for laying the new agency's foundations, and later for salvaging an E.P.A. that had strayed from its mission and lost the confidence of the public and Congress.

Louisiana

Health Officials in “Cancer Alley” Will Study if Living Near a Controversial Chemical Plant Causes Cancer

Mother Jones, 11/28/19

<https://www.motherjones.com/environment/2019/11/health-officials-in-cancer-alley-will-study-if-living-near-a-controversial-chemical-plant-causes-cancer/>

Louisiana health officials plan to knock on every door within 2.5 kilometers of the controversial Denka Performance Elastomer plant in St. John the Baptist Parish in hopes of determining exactly how many people in the neighborhood have developed cancer.

OPINION: 75 Percent Improvement in 30 Years Is a Win for Louisiana Communities

Shreveport Times, 11/27/19

<https://www.shreveporttimes.com/story/opinion/columnists/2019/11/27/louisiana-air-emissions-chemical-plants/4195196002/>

In the last 30 years, chemical facilities operating in Louisiana have cut air emissions by 75 percent. Once inconceivable, this accomplishment is now a reality.

Our state's chemical facilities continually work to meet or exceed every benchmark put in place by the Louisiana Department of Environmental Quality and U.S. Environmental Protection Agency. Through investments and environmental innovations, Louisiana industry has demonstrated a long-term commitment to employees, neighbors and communities across our parishes.

New Mexico

New Mexico

Faith Leaders Oppose Methane Rule Rollbacks

Albuquerque Journal, 11/27/2019

<https://www.abqjournal.com/1396196/faith-leaders-oppose-methane-rule-rollbacks.html>

More than 50 New Mexico faith leaders sent a letter to the Environmental Protection Agency asking the government not to change methane monitoring requirements for the oil and gas industry. Monday was the last day to comment on the proposed changes, which would reduce or remove methane regulations on oil and gas production, transport pipelines and storage facilities.

Oklahoma

EPA grant of nearly \$150K will quell asbestos in schools

Tahlequah Daily Press, 11/29/2019

<https://www.tahlequahdailypress.com/news/business-farm/epa-grant-of-nearly-k-will-quell-asbestos-in->

schools/article_81abd3ab-6364-580e-8e7d-24d8267b5f0e.html

The U.S. Environmental Protection Agency recently awarded nearly \$150,000 to the Oklahoma Department of Labor to support programs to reduce asbestos exposure in schools. The funding is part of the federal Toxic Substances Control Act's Asbestos Hazard Emergency Response Act Cooperative Agreement.

Texas

The latest: Mandatory evacuation lifted following TPC fire

Beaumont Enterprise, 11/29/2019

<https://www.beaumontenterprise.com/news/article/Jefferson-Co-officials-to-release-10-a-m-update-14870445.php>

A mandatory evacuation for Port Neches, Groves, Nederland and parts of Port Arthur has been lifted effective immediately. The area surrounding TPC Group, however, remains under restriction. At a news conference in Port Neches, Jefferson County Judge Jeff Branick said it was a "pretty profound" explosion that threw debris. He asks residents to survey their yards and conditions when they arrive. The plant was built in the 40s and there was some asbestos.

Chem plant blast was bad, could've been a lot worse

Beaumont Enterprise, 11/27/2019

<https://www.beaumontenterprise.com/news/article/Chem-plant-blast-was-bad-could-ve-been-a-lot-14867906.php>

Wilma Shahan was asleep when the window above her bed blew in, showering her with glass. "I thought a car ran into the house," she said on Wednesday, a few hours after the dead-of-night fireball in Port Neches. "It was a loud explosion, so loud it busted my hearing aids." Still, it was just a close call for the Shahans and an estimated 38,000 others who live within a 3-mile radius of the plant. Three schools, two churches and a library are within a mile. Thirty percent of residents are 17 or younger. Had the first blast occurred at, say, 1 p.m. instead of 1 a.m., many more folks would have been in harm's way.

TPC Group has long history, spotty environmental record

Beaumont Enterprise, 11/27/2019

<https://www.beaumontenterprise.com/news/article/Houston-company-TPC-Group-has-long-history-14867138.php>

TPC Group has a 75-year history in Port Neches and the Port of Houston dating back to World War II, when petrochemicals boomed along the Gulf Coast to manufacture synthetic rubber for tires and other products to support the war effort. The Houston-based company also has a spotty environmental record in recent years, although there haven't been many incidents with serious injuries until Wednesday's explosion at the Port Neches plant.

Fire glows in ghost town

Houston Chronicle, 11/29/19

<https://www.chron.com/news/article/SE-Texas-chemical-plant-fire-continues-14868966.php?ipid=houstonhomepage>

Thanksgiving came to an empty Port Neches on Thursday. The streets were void of holiday traffic. No cars carried families to meals at the homes of relatives, and no shoppers were out trying to grab last-minute forgotten items for the holiday feast. One local gas station had signs posted advising customers it was closed but the gas pumps were still on to allow people to fuel up before leaving town. The only signs of activity were officers from the Department of Public Safety posted on street corners to dissuade break-ins — and the plume of black smoke rising above the TPC Group chemical plant on the Texas 136 Spur.

OPINION: Texas should lead in promoting carbon capture regulation

Houston Chronicle, 11/29/19

<https://www.houstonchronicle.com/opinion/editorials/article/Texas-should-lead-in-promoting-carbon-capture-14866762.php?cmpid=gsa-chron-result>

Few places can match Texas' experience with oil and gas exploration. From Spindletop and the dawn of the oil era to George Mitchell and the rise of hydraulic fracturing, Texas has led the way in energy exploration innovation. Today, that spirit of innovation continues with new technologies that capture carbon dioxide to be stored or reused later. To ensure that these technologies are used to their fullest, the state will also need to recapture some of the regulatory authority it has ceded to Washington, D.C.

The New York Times

William Ruckelshaus, Who Quit in 'Saturday Night Massacre,' Dies at 87

As deputy attorney general he refused Nixon's order to fire the special prosecutor Archibald Cox in the Watergate scandal. He was earlier the E.P.A.'s first leader.

By **Robert D. McFadden**

Nov. 27, 2019

William D. Ruckelshaus, who resigned as deputy attorney general rather than carry out President Richard M. Nixon's illegal order to fire the independent special Watergate prosecutor in the constitutional crisis of 1973 known as the "Saturday Night Massacre," died on Wednesday at his home in Seattle. He was 87.

His death was confirmed by his daughter Mary Ruckelshaus.

A lawyer and political troubleshooter, Mr. Ruckelshaus twice headed the United States Environmental Protection Agency, as its founding administrator from 1970 to 1973 under Nixon, and from 1983 to 1985 under President Ronald Reagan. He won praise for laying the new agency's foundations, and later for salvaging an E.P.A. that had strayed from its mission and lost the confidence of the public and Congress.

Mr. Ruckelshaus was a champion of America's natural resources in his home state of Indiana; in Washington State, where he lived; and while serving on presidential commissions and conservation groups. But he also worked for big business, was not an environmentalist of the Greenpeace and Sierra Club stripe, and in 50 years of public and private service was hailed and vilified by partisans on both sides as he tried to balance economic and ecological interests.

For many Americans, however, the deeds of Mr. Ruckelshaus's varied career were all but eclipsed by his role in the events of a single night in the autumn of 1973, as the political dirty tricks and cover-up conspiracies of the Watergate scandal closed in on his boss, the beleaguered President Nixon.

The scandal had already forced some of Nixon's closest associates to resign and face criminal charges, and Mr. Ruckelshaus, with his E.P.A. successes and reputation for integrity, was named acting head of the F.B.I. in April 1973, replacing L. Patrick Gray III, who had allowed Nixon aides to examine Watergate files and had even destroyed evidence in the case.



Mr. Ruckelshaus, left, as Nixon signed legislation to place new curbs on smog from automobile exhaust. At right was Russell E. Train, chairman of the Council on Environmental Quality. Associated Press

Mr. Ruckelshaus was soon named the top deputy to Attorney General Elliot L. Richardson. And on a night of high drama, as the nation held its breath and constitutional government appeared to hang in the balance, Nixon ordered his top three Justice Department officials, one after another, to fire the Watergate prosecutor, Archibald Cox, rather than comply with his subpoena for nine incriminating Oval Office tape recordings.

Mr. Cox's complete independence had been guaranteed by Nixon and the attorney general during the prosecutor's Senate confirmation hearings the previous May. He could be removed only for "cause" — some gross malfeasance in office. But none was even alleged. Nixon's order to summarily dismiss Mr. Cox thus raised a most profound question: Was the president above the law?

Mr. Richardson and Mr. Ruckelshaus refused to fire Mr. Cox and resigned even as orders for their own dismissals were being issued by the White House. But Robert H. Bork, the United States solicitor general and the acting attorney general after the dismissal of his two superiors, carried out the presidential order, not only firing Mr. Cox but also abolishing the office of the special Watergate prosecutor.

The dismissals, all on Saturday, Oct. 20, labeled the "Saturday Night Massacre" by news media, set off a firestorm of protest across the country. Some 300,000 telegrams inundated Congress and the White House, mostly calling for Nixon's resignation. The outcry was so ferocious that the White House said within days that it had decided to surrender the tape recordings after all.

Less than a month later, a federal judge ruled that Mr. Cox's dismissal had been illegal and ordered him reinstated, but Mr. Cox indicated that he did not want the job back. After a protracted legal struggle, scores of tapes were eventually turned over to Mr. Cox's successor, Leon Jaworski, and Mr. Nixon, facing certain impeachment in the House and conviction in the Senate, resigned in August 1974.

Vice President Gerald R. Ford assumed the presidency, Mr. Cox returned to teaching at Harvard, Mr. Richardson was named Mr. Ford's commerce secretary in 1976, and Mr. Bork became a federal judge whose nomination to the Supreme Court by President Reagan in 1987 was defeated in the Senate. Mr. Ruckelshaus, who joined a Washington law firm and soon moved to Seattle, said he had no regrets.

"I thought what the president was doing was fundamentally wrong," he told The New York Times years later. "I was convinced that Cox had only been doing what he had the authority to do; what was really of concern to the president and the White House was that he was too close. He hadn't engaged in any extraordinary improprieties, quite the contrary."

William Doyle Ruckelshaus was born on July 24, 1932, in Indianapolis, the second of three children of John K. and Marion (Doyle) Ruckelshaus. His father was a lawyer and Republican Party official who drowned at 60 in a fishing accident in Michigan. Mr. Ruckelshaus remembered him as deeply religious and called him "far and away the biggest influence" on his life.

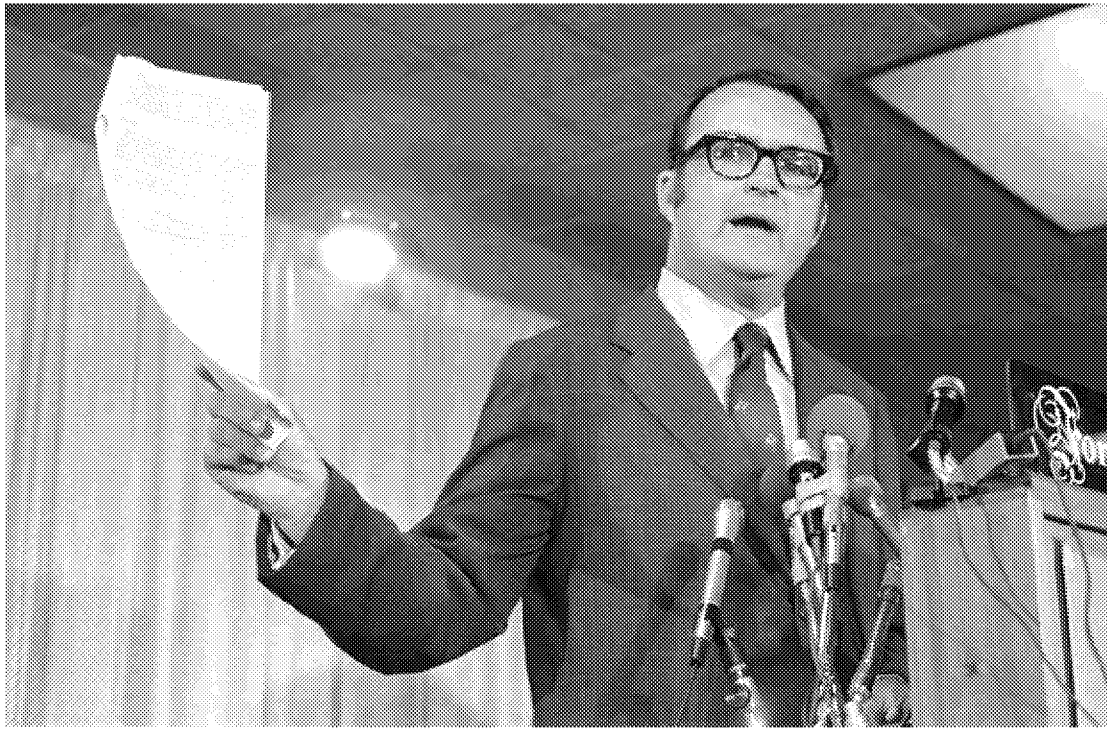
"He not only was religious in the sense of being a regular churchgoer; he went to church every morning for the last 25 years of his life and took communion," Mr. Ruckelshaus said in an interview for an E.P.A. publication. "But he *lived* it."

William went to Roman Catholic parochial schools in Indianapolis and, midway through high school, transferred to Portsmouth Abbey, a school run by Benedictine monks in Portsmouth, R.I. After two years in the Army, he attended Princeton University and graduated with honors in 1957, then earned a law degree from Harvard in 1960.

In 1960 he married Ellen Urban, who died of complications of giving birth to twin girls in 1961. In 1962 he married Jill Elizabeth Strickland, who survives him along with their children, Jennifer and William Ruckelshaus and Robin Kellogg; his twin daughters, Catherine and Mary Ruckelshaus; a sister, Marion Ruckelshaus Bitzer; and 12 grandchildren.

As a deputy attorney general in Indiana in the early 1960s, Mr. Ruckelshaus helped write the state's first air pollution control laws. A leader of the Young Republican organization, he won a seat in the Indiana House of Representatives in 1966 and became the first freshman legislator to be elected majority leader. In 1968 he lost a United States Senate race to the Democratic incumbent, Birch Bayh.

But he caught the eye of Attorney General John N. Mitchell and was brought to Washington in 1969 as an assistant attorney general in charge of the Justice Department's civil division. He displayed exceptional finesse cooling anti-Vietnam War protests, civil rights confrontations and unrest on college campuses.



Mr. Ruckelshaus, while head of the E.P.A., during a news conference in 1972. In that role he consolidated 15 federal agencies with environmental duties into an organization with 8,800 employees and a \$2.5 billion budget. Associated Press

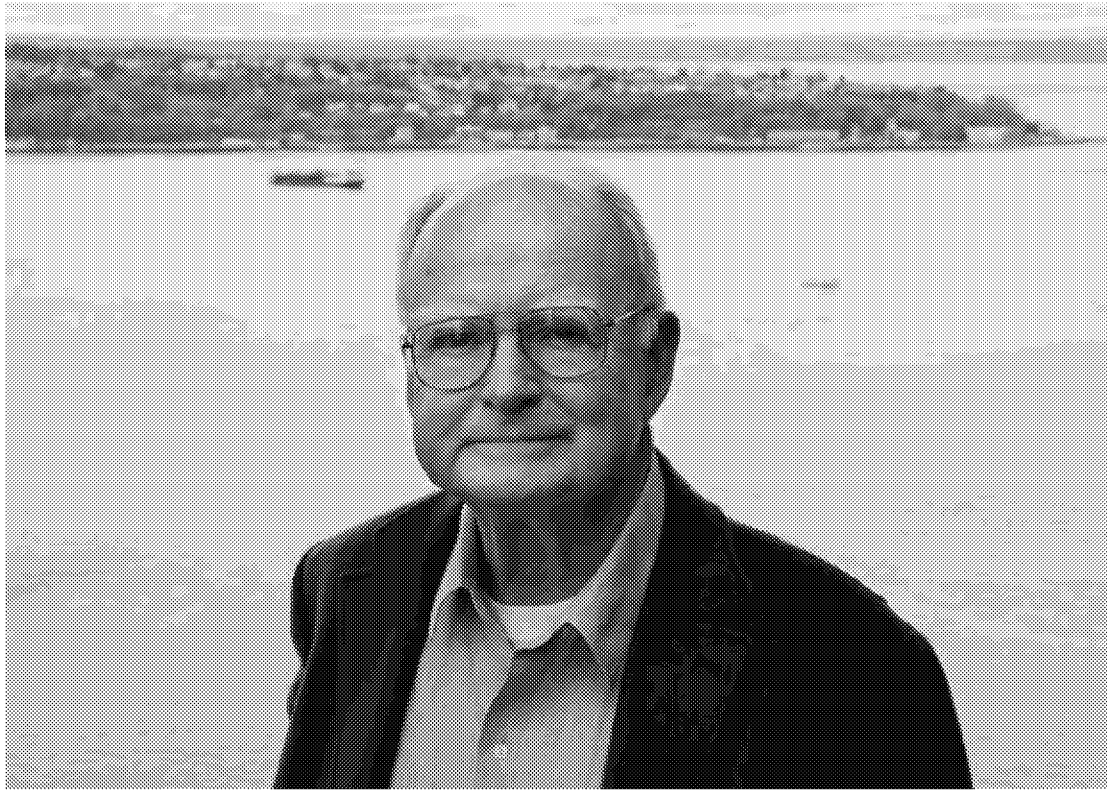
Nixon was impressed. In 1970 he appointed Mr. Ruckelshaus to lead the new E.P.A. He proceeded to consolidate 15 federal agencies with environmental duties into an organization with 8,800 employees and a \$2.5 billion budget (about \$15.6 billion in today's money), hired new leaders, defined priorities, proposed laws and organized a national enforcement structure. He also ordered cities to curtail sewage discharges into rivers; demanded more air-pollution controls; accused paper and steel companies of water-quality violations; and banned the domestic use of DDT.

Environmental advocates were generally pleased, although Mr. Ruckelshaus was not a consistent ally. He permitted states to write business-friendly air quality plans and allowed increased emissions in areas where the air was relatively clean, a stand that federal courts later called a violation of the Clean Air Act of 1970.

By 1973, Mr. Ruckelshaus was needed back at the Justice Department. After his interim appointment at the F.B.I., he pursued charges that Vice President Spiro T. Agnew had taken kickbacks from contractors while governor of Maryland. The case led to Mr. Agnew's no-contest plea on a tax-evasion charge and his resignation on Oct. 10, 1973.

After his own resignation in the Saturday Night Massacre 10 days later, Mr. Ruckelshaus returned to private law practice. He moved to Seattle in 1976 and became a senior vice president of Weyerhaeuser, one of the nation's largest lumber companies. He explored a run for the presidency in 1980 but did not return to public life until 1983, when President Reagan asked him to take over the troubled E.P.A.

After 22 months under Anne Gorsuch Burford, who had resigned in a scandal over mismanagement of a \$1.6 billion program to clean up hazardous waste sites, the agency was demoralized and its programs riddled with corruption. Its budget had been heavily cut, and critics said it had openly favored polluters and abandoned its mission to protect the nation's air, water and land resources.



Mr. Ruckelshaus in 2009 at his office in Seattle. Behind him is West Seattle and Elliott Bay in Puget Sound. He remained an active conservationist in his later years. Ted S. Warren/Associated Press

Mr. Ruckelshaus stabilized the agency, restored professional management and subdued the scandals. But he was unable to rebuild the budget, and many E.P.A. initiatives were mired in court or stifled by Congress or business interests supported by the administration. After Reagan's second term began, Mr. Ruckelshaus resigned, returned to Seattle, joined a law firm and set up an environmental consulting business.

From 1988 to 1995, Mr. Ruckelshaus was chief executive of Browning-Ferris Industries, one of the nation's largest waste-removal firms, whose rapid expansion had led to civil and criminal complaints and fines in the disposal of toxic substances. Mr. Ruckelshaus took the company out of hazardous wastes and built up its recycling operations. The company also expanded into New York City, where Mr. Ruckelshaus helped investigators infiltrate a Mafia-dominated carting conspiracy, leading prosecutors to obtain indictments.

President George W. Bush named Mr. Ruckelshaus to the United States Commission on Ocean Policy, which produced a 2004 report, "An Ocean Blueprint for the 21st Century." In 2008, Mr. Ruckelshaus was named to the Washington State Puget Sound Partnership.

Late in life, Mr. Ruckelshaus brought his Watergate experience to bear on another president under investigation. This time it was President Donald J. Trump, who at the time was furious over the special counsel Robert S. Mueller III's investigation of Russian efforts to influence the 2016 election.

"Not only was that Saturday night the beginning of the end of the Nixon presidency," Mr. Ruckelshaus wrote in *The Washington Post* in August 2018, referring to the "massacre," "but it also accelerated the growing wave of political cynicism and distrust in our government we are still living with today. One manifestation of that legacy: a president who will never admit he uttered a falsehood and a Congress too often pursuing only a partisan version of the truth."

Daniel E. Slotnik contributed reporting.

Robert D. McFadden is a senior writer on the Obituaries desk and the winner of the 1996 Pulitzer Prize for spot news reporting. He joined *The Times* in May 1961 and is also the co-author of two books.

A version of this article appears in print on Nov. 28, 2019, Section A, Page 29 of the New York edition with the headline: William Ruckelshaus, Who Defied Nixon And Quit, Dies at 87

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MotherJones

ENVIRONMENT NOVEMBER 28, 2019

Health Officials in "Cancer Alley" Will Study if Living Near a Controversial Chemical Plant Causes Cancer

Neighbors say the inquiry is long overdue.

GORDON RUSSELL



A house sits along a long stretch of River Road by the Mississippi River dubbed "Cancer Alley" because of the many nearby chemical plants. **Giles Clarke/Getty**

This article was originally published by ProPublica, a Pulitzer Prize-winning investigative newsroom, and it was produced in partnership with The Times-Picayune and The Advocate, which is a member of the ProPublica Local Reporting Network. Sign up for The Big Story newsletter to receive stories like this one in your inbox.

Louisiana health officials plan to knock on every door within 2.5 kilometers of the controversial Denka Performance Elastomer plant in St. John the Baptist Parish in hopes of determining exactly how many people in the neighborhood have developed cancer.

Neighbors say the inquiry, first announced in late August, is long overdue.

The Denka plant is the only one in the country that emits chloroprene, which was classified as a likely carcinogen by the U.S. Environmental Protection Agency in 2010. The plant is in the heart of Louisiana's industrial corridor, which already has some of the most toxic air pollution in the nation, and where a wave of new petrochemical plants is expected to worsen air quality in already overburdened areas, according to an analysis by ProPublica and The Times-Picayune and The Advocate.

Over the last decade, there has been a steady drumbeat of increasingly worrisome news about the Denka plant's emissions. In 2015, the EPA released an analysis saying the airborne cancer risk in the census tract nearest to the plant was the highest in the nation.

But Louisiana officials have sought to downplay the risks. Chuck Carr Brown, secretary of the state Department of Environmental Quality, has repeatedly expressed doubts about the EPA's analysis and complained of "fear-mongering" by activists.

Jimmy Guidry, the state's top health officer, has also stressed in public meetings that Louisiana officials have found no evidence of higher cancer rates in the vicinity of the plant.

Community members have continued to voice concerns, however, and despite significant reductions in emissions in recent months, the plant is still releasing chloroprene at well beyond the level of 0.2 micrograms per cubic meter that the EPA has said is safe.

Three months ago, the Louisiana Department of Health announced plans to conduct a first-ever scientific inquiry into cancer cases around the plant. The announcement came just over a month after an activist group, the University Network for Human Rights, released its own study on cancer rates.

The group used student volunteers to collect information from residents and concluded that cancer rates were well above normal in the neighborhoods around the plant.

But that study was criticized for its methodology — in particular for its failure to verify the cancer claims made by residents by examining medical records or through some other source. Many residents are plaintiffs in lawsuits against Denka and DuPont, the plant's prior operator.

The new study is designed to be more scientifically rigorous than the July study. While state health officials are still seeking community input, they released a draft of their blueprint in mid-November.

The plan calls for sending graduate students from the Louisiana State University Health Sciences Center in New Orleans to every household within a 2.5-kilometer radius of the plant, essentially the same footprint surveyed in the advocacy group's study. The area includes about 1,900 households, officials said; the students visit each one to gather information about every case of cancer involving a member of the household.

Researchers will attempt to match that information with data previously gathered by the Louisiana Tumor Registry, an arm of the Health Sciences Center that is charged with cataloging every reported case of cancer in the state. If the tumor registry does not have a record of the cancer case, the resident will be asked for medical records to substantiate the claim.

Cases that were previously uncollected by the tumor registry, but verified in the study, will be added to the tumor registry.

The survey could serve to inform residents about local cancer rates, as well as to offer a clearer picture of whether the Louisiana Tumor Registry is capturing every case of cancer that occurs in the state.

State health officials say that they go to great lengths to document every cancer case. But some activists have expressed skepticism about the tumor registry's accuracy. It has been a difficult debate to settle independently, because tumor registry officials, citing medical privacy laws, say they cannot release information that could identify specific cancer cases.

As a result, the registry for years released cancer cases only on a parish-by-parish basis. More recently, the registry has started releasing them at the census tract level. However, census tracts are still relatively large, and in the case of Denka, the surrounding tracts include both areas that are quite close to the plant as well as ones that are at least a couple of miles away.

Louisiana health officials have said they want to share the results of the study with parish residents, although medical privacy laws may still bar them from presenting a granular view of where they found cancer.

In a statement, Jim Harris, a Denka spokesman, said the company "welcomes any additional studies that are based on sound scientific methodology and conducted by credentialed health research professionals. It is also important that any study be peer reviewed by

Harris also noted that the most recent data from the state tumor registry showed that "the number of all cancer cases combined in St. John the Baptist Parish and in the census tracts close to the facility were not statistically different than the numbers for the state."

Robert Taylor, a leader of the activist group Concerned Citizens of St. John, also welcomed the new research, but he said officials suggested to the community that their real aim was to bolster Louisianans' faith in the work of the tumor registry — rather than to protect residents.

"How does a well-established, well-respected tumor registry translate into relief for us?" he asked.

But, he added: "If we can help you establish credibility and you're going to use the credibility to help us, we'll be willing to do whatever is necessary to help protect our community from this plant."

While the study will focus on cancer, residents may report other health issues to the researchers.

"We are trying to collect as much information as they provide," and that data could inform future investigations, said Dr. Edward Trapido, associate dean for research at LSU's School for Public Health.

Officials expect to hold a final community advisory meeting in the next few weeks and to have students in the field before the end of the year. The study could be done sometime in late 2020.

Hugh "Skip" Lambert, a lawyer representing many of the plaintiffs, including Taylor, said that if the study is done properly, he expects it will confirm the findings of the advocacy groups.

"I'm happy the new study is being done," Lambert said. "I just hope it's being done in a way that captures reality. If it's done properly and it's done objectively, it will confirm that there are way too many cancers in that area."

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OPINION

75 percent improvement in 30 years is a win for Louisiana communities

Greg Bowser, Special to The Times Published 10:46 a.m. CT Nov. 27, 2019

In the last 30 years, chemical facilities operating in Louisiana have cut air emissions by 75 percent. Once inconceivable, this accomplishment is now a reality.

Our state's chemical facilities continually work to meet or exceed every benchmark put in place by the Louisiana Department of Environmental Quality and U.S. Environmental Protection Agency. Through investments and environmental innovations, Louisiana industry has demonstrated a long-term commitment to employees, neighbors and communities across our parishes.

The petrochemical industry in Louisiana is the most highly regulated industry in the entire United States. Rigorous rules meant to ensure that chemical companies better track, report and prevent processes and incidents that could impact communities, employees and the environment are constantly raised and upgraded.

More: [What's the state of Louisiana's oil and gas industry? \(/story/news/2019/10/03/loga-president-gifford-briggs-talks-oil-and-gas-industry/3845979002/\)](/story/news/2019/10/03/loga-president-gifford-briggs-talks-oil-and-gas-industry/3845979002/)

In the last three decades alone, the state of Louisiana and the EPA have enacted hundreds of new laws and regulations impacting the industry. For example, the Toxic Release Inventory began its work in 1986 and more than 300 chemicals were initially listed for monitoring. Today, 595 chemicals are being monitored.

Scientific advances have improved the medicines we take to improve our health. Similarly, new technology, scientific data and environmental science have made the manufacturing process safer for people and the environment.



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Greg Bower (Photo: Submitted Photo)

Chemical companies have dedicated billions of dollars to upgrade facilities with new environmental technology, including extensive air and water monitoring investments. The newest facilities, including ones being built right now in our parishes, are constructed with the latest technology and cutting-edge environmental science initiatives to provide employees and communities with the best available health and safety processes and work environments.

A 2017 Clean Air Action Report by a coalition including the Capital Region Planning Commission, demonstrates that growing industry is actually causing emissions to go down, not up. The report highlighted the "remarkable" progress made in decreasing ozone emissions in the Capital Region from high levels in the mid-1980s, even as the number of chemical facilities increased.

ADVERTISING

Earlier this year, the Louisiana Tumor Registry reviewed cancer incidence and death rates between 2011 and 2015 across Louisiana, including the seven-parish industrial corridor between New Orleans and Baton Rouge. This registry is funded by the National Cancer Institute, Centers for Disease Control and the state of Louisiana.

In the industrial corridor of Louisiana, incidences of cancer are at or below the rest of the state. Caucasian women in this region had much lower incidences of cancer when compared to the entire state. Cancer incidences in Caucasian men and African-American men and women were in line with the cancer incidence rates for all of Louisiana.

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(<https://www.usatoday.com/story/tech/2019/11/19/police-technology-and-surveillance-politics-of-facial-recognition/4203720002/>)

In our industry, we operate in the world of science and facts. Indisputable data from the Tumor Registry shows the census tract with the highest cancer rate in Louisiana is New Orleans' Central Business District, an area home to office towers and restaurants, not industrial and manufacturing facilities.

Compared to the world we lived in 30 years ago, our cars are safer today because of new technology. Our houses are stronger because of new building products, codes and laws. Products used every day by every Louisianan are better because of scientific and technological advances embraced by the petrochemical industry.

Greg Bowser is the CEO and President of the Louisiana Chemical Association.

Read or Share this story: <https://www.shreveporttimes.com/story/opinion/columnists/2019/11/27/louisiana-air-emissions-chemical-plants/4195196002/>

Faith leaders oppose methane rule rollbacks

By Theresa Davis / Journal Staff Writer

Wednesday, November 27th, 2019 at 7:35pm

ALBUQUERQUE, N.M. — More than 50 New Mexico faith leaders sent a letter to the Environmental Protection Agency asking the government not to change methane monitoring requirements for the oil and gas industry.

Monday was the last day to comment on the proposed changes, which would reduce or remove methane regulations on oil and gas production, transport pipelines and storage facilities.

Leaders who signed the letter represent Catholic, Episcopal, Bahá'í, Mennonite, Jewish, Disciples of Christ, Unitarian, Presbyterian, Methodist, Buddhist, Islam and other faiths in the state.

“As faith leaders working with the community, we can see how these harmful emissions affect our brothers and sisters,” said Sister Joan Brown, executive director of New Mexico Interfaith Power and Light, and a Catholic Franciscan sister. “Our community members often complain of headaches from being in such close proximity to the venting equipment. We feel like our voices have been dismissed.”

The EPA has said the change would remove a duplicated rule, and save the oil and gas sector \$17 million to \$19 million in compliance costs each year. The agency lists methane as a potent greenhouse gas that contributes to rising global temperatures.

However, the EPA has questioned its own authority to regulate methane under the Clean Air Act.

But the faith leaders claim the government has a duty to reduce the harmful greenhouse gas.

“It is immoral to ignore health concerns affecting our communities,” the letter reads. “It is a sin to intentionally pollute the land, air and water, which is a sacred trust. Moreover, to do these actions in light of climate change, which is increased dramatically by methane emissions, speaks of a deep spiritual illness and disrespect for life. As faith leaders, we cannot stand silent.”

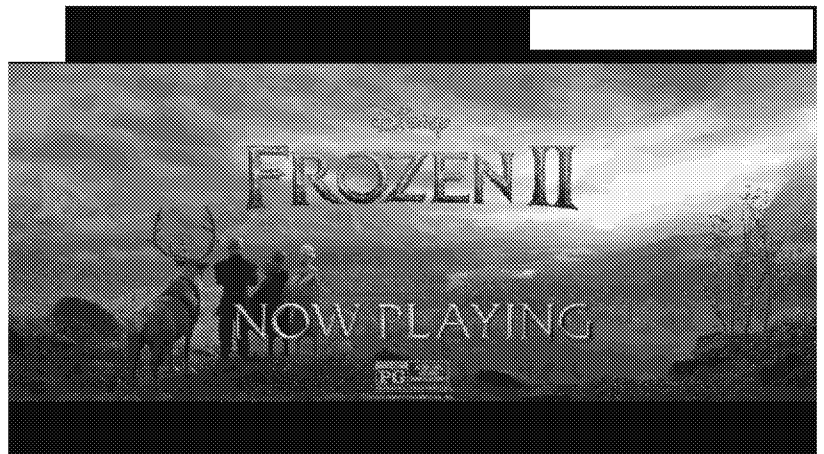
According to last week’s state climate report, the oil and gas sector accounts for 62% of New Mexico’s methane emissions. Nationally, that number is 31%.

Other state opponents of the rule change include the New Mexico Environment Department, New Mexico Attorney General Hector Balderas, the Center for Civic Policy, the Native American Voters Alliance, Communities in Action and Faith, Moms Clean Air Force, the Policy Solutions Institute, Earthworks, the Environmental Defense Fund, 350 New Mexico and Climate Advocates Voces Unidas.

Theresa Davis is a Report for America corps member covering water and the environment for the Albuquerque Journal. Visit reportforamerica.org to learn about the effort to place journalists in local newsrooms around the country.

Contact the writer:

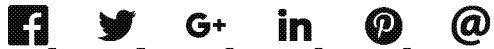
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EPA grant of nearly \$150K will quell asbestos in schools

16 hrs ago



DALLAS - The U.S. Environmental Protection Agency recently awarded nearly \$150,000 to the Oklahoma Department of Labor to support programs to reduce asbestos exposure in schools. The funding is part of the federal Toxic Substances Control Act's Asbestos Hazard Emergency Response Act Cooperative Agreement.

"Protecting children, especially where they learn, is one of the most important facets of EPA's mission," said Regional Administrator Ken McQueen. "The Oklahoma Department of Labor's partnership will help reduce the threat of asbestos for students, teachers, and school workers."

EPA's grant of \$148,699 will support the Department of Labor's compliance monitoring programs to prevent or eliminate risks to people's health and the environment associated with asbestos exposure. The grant will help fund asbestos inspections at public and private schools in support of federal regulatory requirements to protect students and school employees from asbestos exposure.

Asbestos has been used in construction materials and manufactured goods, and for insulation and as a fire retardant. Materials that contain asbestos can release fibers into the air during use, demolition work, building or home maintenance, repair, and remodeling, allowing human exposure to occur.

Exposure to asbestos increases the risk of developing lung disease. In general, the greater the exposure to asbestos, the greater the chance of developing harmful health effects. The Asbestos Hazard Emergency Response Act and its regulations require public school districts and nonprofit schools including charter schools and schools affiliated with religious institutions to inspect their schools for asbestos-containing building material and prepare management plans and to take action to prevent or reduce asbestos hazards.

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<https://www.beaumontenterprise.com/news/article/Jefferson-Co-officials-to-release-10-a-m-update-14870445.php>

The latest: Mandatory evacuation lifted following TPC fire

Updated 10:36 am CST, Friday, November 29, 2019



IMAGE 1 OF 83

Smoke from the ongoing fire at the TPC chemical plant continues to fill the sky in Port Neches Thursday morning. Photo taken Thursday, November 28, 2019 Kim Brent/The Enterprise

Friday updates from the TPC Group plant fire:

10:20 a.m.: The Port Neches-Groves Independent School District has canceled classes for Monday. "If needed, the district will post updates on Sunday," according to a statement from Superintendent Mike Gonzales.

10 a.m.: A mandatory evacuation for Port Neches, Groves, Nederland and parts of Port Arthur has been listed effective immediately. The area surrounding TPC Group, however, remains under restriction.

At a news conference in Port Neches, Jefferson County Judge Jeff Branick said it was a "pretty profound" explosion that threw debris. He asks residents to survey their yards and conditions when they arrive. The plant was built in the 40s and there was some asbestos.

He said one the vessels involved was compromised with asbestos. If residents return to their yards/homes and see a white chalky substance, report it to this number: 866-601-5880.

Anyone with material around their home/yard that wasn't there before the explosion should report those items to TPC.

9:20 a.m.: After an 8:30 a.m. meeting of emergency management officials, a press conference has been called for 10 a.m. at the Port Neches City Hall.

An 8:15 a.m. update from the unified command center said the event is still ongoing and emergency response crews are on site managing the incident.

Texas Commission on Environmental Quality air monitoring still has not indicated human health concerns.

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Chem plant blast was bad, could've been a lot worse

By Jacob Dick, Perla Trevizo, and Matt Dempsey

Updated 6:59 pm CST, Wednesday, November 27, 2019



IMAGE 1 OF 83

Adanli Puente watches the thick smoke and flames that continued to erupt from the TPC plant as she plays at a nearby park with sister Jullissa. Their father Abraham says the Beaumont family came down to Port ... more

Wilma Shahan was asleep when the window above her bed blew in, showering her with glass.

"I thought a car ran into the house," she said on Wednesday, a few hours after the dead-of-night fireball in Port Neches. "It was a loud explosion, so loud it busted my hearing aids."

Still, it was just a close call for the Shahans and an estimated 38,000 others who live within a 3-mile radius of the plant. Three schools, two churches and a library are within a mile. Thirty percent of residents are 17 or younger. Had the first blast occurred at, say, 1 p.m. instead of 1 a.m., many more folks would have been in harm's way.

Roger Wallace's granddaughter might have been playing with her toys, which he kept in the utility room of his townhouse on Merriman Street. Instead, she was asleep in another room when the blast blew out the front window and tore the utility-room door from its hinges.

The Avenue Coffee Cafe wasn't open yet, so no one was there having a morning cup when the blast tore through. It was relatively easy for co-owner David Pool to sweep up the glass and put a pot on afterward.

Three workers inside the plant were injured and at least five people who live beyond the fence line were hit by shattered glass. The worst-case scenarios are hard to ponder.

"Had this happened during day time or during school hours, we could have seen far more injuries than we did," said Luke Metzger, executive director of the Environment Texas advocacy group. "I guess you can say it's a silver lining to the accident (or) blind luck there wasn't even more damage than it did cause."

Southeast Texas over the last several months has seen four chemical fires — including one with a fatality — but perhaps none have had such an immediate and tangible impact in the wider outside community as the TPC, experts and advocates said.

"It's hard to compare one (incident) to another," Metzger said. "But in terms of the damage to the community, this one definitely sticks out as having some of

the most tangible impacts we can measure now."

For some, the sound of the explosion, the splintered wooden doors and shattered windows, echoed the 2013 West Fertilizer incident that killed 15, injured more than 200 and flattened much of the farming community south of Dallas.

The West disaster narrowly avoided even higher casualties as the explosion happened hours after students had left the middle school for the day.

The most recent accident, at TPC on Wednesday, happened around 1 a.m. at the lead-in to the Thanksgiving holiday. Only about 30 workers were present at the facility. For most folks, it was bedtime.

Wilma Shahan and her husband escaped without a scratch. But their home was littered with glass shards and other debris. The front door was left hanging open, its dead bolt bent in an L-shape.

Port Neches Mayor Glenn Johnson, after inspecting damage around the city with police and emergency management personnel, said there was damage to the library, public works building and city hall. Port Neches-Groves High School lost some windows, and district officials will decide over the weekend when it will be safe for students to return.

At first light, residents and business owners were already sweeping up glass and calling contractors about windows and roofs. Some homes had signs of structural damage with rafters sticking out of their shingles on the outside of the roof. Then there was a second explosion about 1:45 p.m. That was followed by an evacuation order and an emergency declaration.

But at least it felt like there was time to prepare take action, to drive outside the 4-mile danger radius.

The story of chemical incidents in the U.S. is one where fortune has prevented disasters from being far worse, said Dan Holmstrom, who worked as the director

of the western regional office of the U.S. Chemical Safety Board for 17 years. He retired from the CSB in 2016.

In 2008, an explosion at the Bayer CropScience chemical facility in West Virginia sent shrapnel that barely missed a tank of highly toxic methyl isocyanate, the chemical that killed thousands in Bhopal, India.

In 2013, an explosion at the Williams Olefins plant in Geismar, Louisiana, injured two workers. A large number of workers were near the site of the explosion just minutes before. Because they had just gone on break, many were spared death or injury.

In 2015, an explosion at the ExxonMobil refinery in Torrance, California, injured two workers. But the shrapnel from the explosion missed a massive tank of hydrofluoric acid. More than 250,000 residents lived within three miles of the plant. If the tank had ruptured, the death toll could have been in the thousands.

"These major accidents are low-frequency, high-consequence ones," Holmstrom said. "You can't just look at how often they happen. It's better to look at the foreseeable consequences and do what you can to prevent it."

Last week, the administration of President Donald Trump reversed a series of chemical safety regulations created in response to the deadly explosion in West, Texas. Under the new rule, companies will not have to do third-party audits or a root-cause analysis after an incident. They also will not have to provide the public access to information about what type of chemicals are stored in these facilities either.

Among the reasons cited by the Environmental Protection Agency for the rule reversal were a desire to reduce "unnecessary regulations," the economic cost for companies to follow the stricter regulations, and potential security risks from disclosing chemical plant inventories and facility locations to the public.

The federal rule change had been pushed by the industry and decried by coalitions including environmentalists, fence-line community members, first-responders and labor unions.

"This is a demonstration of why we need that kind of protection for our communities to prevent incidents like this from happening, to do a very thorough analysis of why they are happening and prevent them from happening again," said Stephanie Thomas, a Houston-based researcher with Public Citizen.

"It's not fool-proof to say the rule would have prevented an incident like this," she added, "but I think it would have certainly help support companies to look more deeply into operating in a more safe manner and if anything this year has shown us that safety it really needs to be of the utmost importance because communities aren't feeling safe right now."

jacob.dick@beaumontenterprise.com

perla.trevizo@chron.com

matt.dempsey@chron.com

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BEAUMONT ENTERPRISE

<https://www.beaumontenterprise.com/news/article/Houston-company-TPC-Group-has-long-history-14867138.php>

TPC Group has long history, spotty environmental record

By Jordan Blum and Kaitlin Bain Updated 4:46 pm CST, Wednesday, November 27, 2019

**IMAGE 1 OF 3**

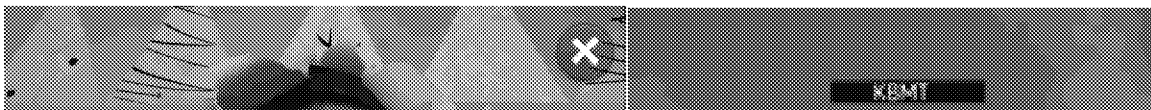
Making reference to being Thanksgiving week, Brian Kessel sprayed "Thank you, TPC" on the panels he placed in the morning to cover the windows that shattered during the TPC Group Port Neches Operations ... more

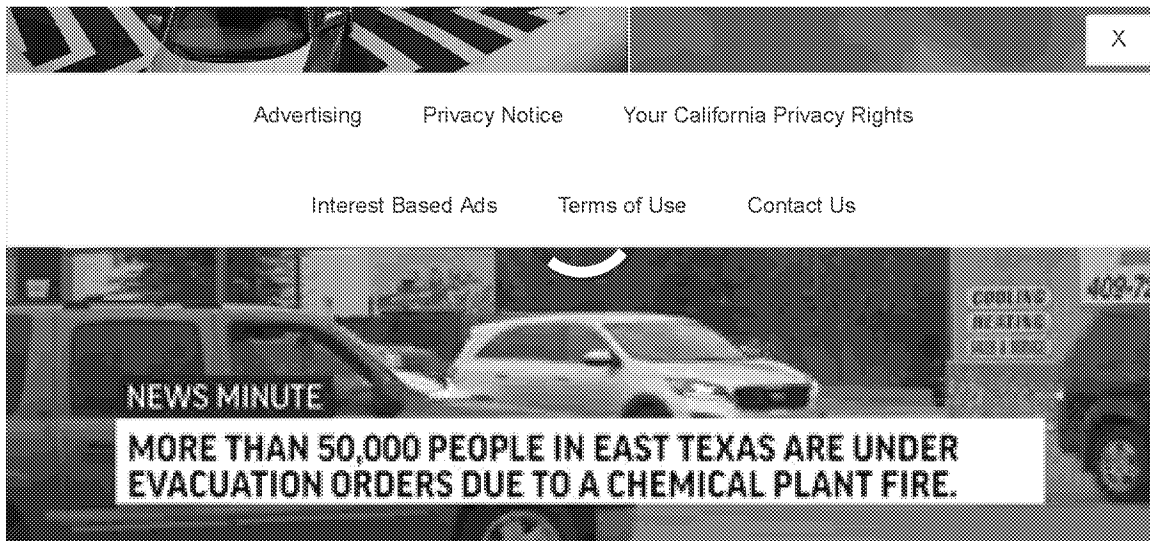
TPC Group has a 75-year history in Port Neches and the Port of Houston dating back to World War II, when petrochemicals boomed along the Gulf Coast to manufacture synthetic rubber for tires and other products to support the war effort.

The Houston-based company also has a spotty environmental record in recent years, although there haven't been many incidents with serious injuries until Wednesday's explosion at the Port Neches plant.

The company's history includes its transition from a publicly traded company operating under the name Texas Petrochemical to its current private structure and ownership by private equity firms with operations in Texas and Louisiana.

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In 1944, the legacy plants in Port Neches and Houston were opened by two different companies, Neches Butane Products Co. and Sinclair Rubber, respectively.

The company Texas Olefins bought the Houston operations from Texaco in 1984 and changed its name to Texas Petrochemical. In 2006, Texas Petrochemical bought the Port Neches campus from The Woodlands chemical company Huntsman Corp.

In 2010, the company changed its name to TPC Group and, two years later, it was acquired and taken private in a partnership by the New York private equity firms First Reserve and SK Capital Partners, which still own TPC today.

TPC mostly manufactures a variety of intermediate products such as butadiene and methyl tera-butyl ether, called MTBE, which are then used to make end products, including rubbers, fuels, plastics, lubricants and surfactants. The Port Neches plant primarily makes butadiene and MBTE.

MTBE is primarily used as a gasoline blending additive. Butadiene is used to make synthetic rubbers. Butane from natural gas liquids produced from Texas shale fields and elsewhere is heated in a process called cracking to make butadiene.

The plant's total assessed value was not listed by the Jefferson Central Appraisal District as it's broken down by the value of land and certain

improvements. However, the highest-listed values are \$2.6 million for opera

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by more than \$60 million since its highest valuation in 2008 of \$101.7 million, although the plant still pays about \$1.3 million in taxes.

Within the last five years, the facility was fined more than \$100,000 for Clean Air Act violations. The company was also required to spend \$275,000 on a fence-line monitoring system to track and record the level of butadiene in the air.

Earlier this year, TPC was fined \$214,000 for excessive emissions and pollution – including a failure to report incidents – by the Texas Commission on Environmental Quality. The Houston campus was noted for releasing excess volumes of nitrogen oxide, carbon monoxide, sulfur dioxide and various volatile organic compounds.

Last year, a storage tank caught fire at the TPC Houston facility, but there were no injuries.

As with many refining and petrochemical companies, TPC Group had issues and major emissions releases during the aftermath of Hurricane Harvey in 2017. Boilers in Port Neches were shut down and large volumes of toxic carbon monoxide and nitrogen oxides – way beyond the legal limits – were released through flaring.

The facility is currently not compliant with the Federal Clean Air Act. It violated the Clean Air Act 12 of the last 12 quarters according to records from the U.S. Environmental Protection Agency.

In 2015, TPC was fined more than \$45,000 for emissions events in Port Neches.

Asked during a news conference Wednesday morning the company's environmental record, TPC manager of safety, health and security Troy Monk said he didn't have any knowledge of past fines or TCEQ investigations

regarding emissions standards. Monk said he could not comment on the pla

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<https://www.beaumontenterprise.com/news/article/SE-Texas-chemical-plant-fire-continues-14868966.php>

Fire glows in ghost town

By Jacob Dick Updated 8:51 am CST, Friday, November 29, 2019



IMAGE 1 OF 83

Smoke from the TPC Group Port Neches Operations explosion on Wednesday, Nov. 27, 2019, in Port Neches. It was reported that the explosion took place approximately 1:00 a.m.

Thanksgiving came to an empty Port Neches on Thursday.

The streets were void of holiday traffic. No cars carried families to meals at the homes of relatives, and no shoppers were out trying to grab last-minute forgotten items for the holiday feast. One local gas station had signs posted advising customers it was closed but the gas pumps were still on to allow people to fuel up before leaving town.

The only signs of activity were officers from the Department of Public Safety posted on street corners to dissuade break-ins — and the plume of black smoke rising above the TPC Group chemical plant on the Texas 136 Spur.

By a Thursday afternoon update, company and public officials said the fire at the plant was still too unpredictable to lift the mandatory evacuation affecting about 50,000

people in four communities, but crews were getting closer to suppressing the blaze.



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FEEDBACK

Jefferson County Judge Jeff Branick said city and county officials would meet Friday morning to review progress and discuss the evacuation, but not enough progress had been made to give the all clear on Thursday night.

"First and foremost, my job as county judge is to keep our citizens safe," Branick said. "I will not lift the evacuation order until such time that I feel it is sufficiently safe to return."

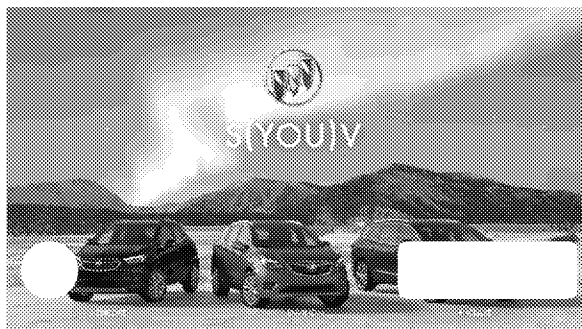
Crews were focused Thursday on maintaining the stability of the blaze at Block 5, 9 and 10 of the plant to avoid further explosions caused by expanding gas vapors, especially around the spherical holding containers of chemicals at Block 5.

A 1 a.m. blast on Wednesday damaged several homes and businesses throughout the city, and a second flare-up later in the afternoon was felt 15 miles away in Beaumont.

Branick said enough progress had been made to use remote equipment to move the debris around Block 9 and 10 so firefighters could reach those flames with water cannons as well.

Comments on social media swirled on Wednesday night and Thursday that tanker trucks of fire extinguishing foam lined the entrance of the plant and residents would soon be able to go back home, but Branick confirmed that they were just rumors.

The firefighting experts and agencies handling the blaze advised against using foam, not only because it would be ineffective on the type of structures that were burning, but also because extinguishing fires around the highly pressurized chemicals could cause them to explode if they were to reignite.



The chemicals TPC uses in its processing have very low boiling points, making it possible that they would vaporize and ignite again.

A butadiene processing unit was identified as the source of the initial explosion, but the burning tanks at the center of attention for fire crews are still somewhat of a mystery.

Troy Monk, TPC Group manager of health, safety and security, said a power outage at the time of the incident meant the company had no way of knowing which chemicals were in which units and at what volume.

The company is known to store butane and raffinate, chemicals used in the process of producing synthetic rubber precursors.

Whatever is creating pillars of black smoke over southern Jefferson County, the Texas Commission on Environmental Quality reported that it hadn't found high levels of any dangerous byproducts in the air at 50 test sights across the region.

There were two spots, H.O. Mills Boulevard and the area north of Shreveport Boulevard, that registered a slight presence of volatile organic compounds (VOCs), but the U.S. Environmental Protection Agency unit at the scene didn't investigate which

compounds were found since the registration didn't meet levels that require it to analyze further.

"The air monitoring equipment that we use, we actually have ... about 20 different teams that are doing air monitoring on the ground in the community, and the equipment that they use just monitors for VOCs," said Adam Adams, on-scene coordinator with the EPA. "If we have any detection above 5 parts per million, then we look at other particulate analytes, but that number wasn't reached."

The levels detected in Port Arthur were around 1 part per million.

A cause of the fire had still not been identified and Monk said there wouldn't be any efforts put toward an investigation until the threat of the blaze was past.

The U.S. Chemical Safety and Hazard Investigation Board, an independent federal agency known for its meticulous root-cause analysis reports after industrial incidents, announced Wednesday night that it would be sending crews to the Port Neches area.

Monk said he wasn't sure whether TPC had been in contact with the board or whether it was cooperating with an investigation.

*jacob.dick@beaumontenterprise.com
twitter.com/jdickjournalism*

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OPINION // EDITORIALS

Texas should lead in promoting carbon capture regulation [Opinion]

Nov. 29, 2019



Texas Governor Greg Abbott and New Department of Energy Secretary Rick Perry chat after a ceremonial valve opening Thursday, April 13, 2017, in Richmond. NRG Energy celebrates the official opening of its Petra Nova carbon capture plant--which captures carbon from a coal-fired power plant. Technically the plant has been

Few places can match Texas' experience with oil and gas exploration. From Spindletop and the dawn of the oil era to George Mitchell and the rise of hydraulic fracturing, Texas has led the way in energy exploration innovation. Today, that spirit of innovation continues with new technologies that capture carbon dioxide to be stored or reused

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To ensure that these technologies are used to their fullest, the state will also need to



recapture some of the regulatory authority it has ceded to Washington, D.C.

Let's start with the basics. Oil and gas production generates several by-products, including carbon dioxide emissions. Many are concerned about the long-term effect that these emissions are having on the climate. Whatever you think about that issue, it is undeniable that carbon dioxide can itself be a valuable commodity. In addition to being used for things like the carbonation in Coca-Cola or beer, carbon dioxide can be used in enhanced oil recovery to help wells increase their productive life. This means that if CO₂ could be captured and repurposed affordably, it could provide an additional profit source for power plants.

Texas has been at the center of these developments. In fact, the lion's share of carbon capture and storage projects in operation or under construction are located in Texas. In 2017, the Petra Nova coal plant in Thompson, Texas, was the first large-scale U.S. power plant to adopt carbon capture and storage. Today, Net Power — a natural gas plant in La Porte — uses a special process that it claims allows it to capture its carbon emissions without increasing costs beyond those of a typical natural gas plant.

Given Texas' long experience with all aspects of oil and gas development, it would make sense for the state to have the primary authority of making sure that production and storage occur in a safe and environmentally responsible way. After all, the Texas Commission on Environmental Quality — the state agency responsible for air quality — is the second-largest environmental regulator in the United States, and in many areas, it has more expertise than even the federal Environmental Protection Agency. Meanwhile, the Texas Railroad Commission has been dealing with well safety issues for over a century.

Over the years, large amounts of authority over these areas have been transferred to federal bureaucrats in D.C. Yet when it comes to carbon capture and storage, there is a way for Texas to reclaim some of this authority. Federal law allows states to apply for "primacy" in enforcement of regulations governing different classes of wells, including the "Class VI" injection wells that would be used for storing CO₂. While Texas, along with most other states, has been granted primacy over various well types, Class VI wells have remained under federal oversight.

But with the Trump administration showing a willingness to devolve power back to the states, that is starting to change. In 2018, North Dakota became the first

state to successfully regain primacy over Class VI wells, and several other states have applied for primacy in its wake. These developments have created an opportunity for states like Texas to regain some control over an important industry.

If Texas wants to continue to lead in energy, it should apply for primacy and show how states can do a better job promoting innovation and protecting the environment than the federal government.

Neeley is the Texas Director and a Senior Energy Fellow at the R Street Institute.